

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

November 19, 2009

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

OAHU

Consent to Lease of Lands under Governor's Executive Order No. 172 to the  
Department of Human Services, Kailua, Koolauloko, Oahu, Tax Map Key: (1) 4-  
2-006;portion of 002.

CONTROLLING AGENCY (of subject executive order):

Department of Human Services

APPLICANT (requesting lease):

Administrator of the Hawaii Youth Correctional Facility

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes, as amended.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: AG-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Governor's Executive Order No. 172 to Department of Human Services for Girls'  
Industrial School.

LEASE TERMS & CONDITIONS:LOCATION:

Portion of Government lands situated at Kailua, Koolaupoko, Oahu, identified by Tax Map Key: (1) 4-2-006:portion of 002, as shown on the attached map labeled Exhibit A.

CHARACTER OF USE:

Administrator's residence purposes

TERM:

One (1) year.

RENT AMOUNT:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The controlling agency shall be responsible for ensuring compliance with Chapter 343, HRS.

DCCA VERIFICATION:

Not applicable.

REMARKS:

EO172 was issued to the Department of Human Services (DHS) for the Girls' Industrial School purposes. It is part of the Hawaii Youth Correctional Facility managed by DHS.

HYCF is the only secure facility in the State of Hawaii for youth adjudicated delinquent and operates 24-hours a day, seven days a week. The facility is currently operating under the terms of a Memorandum of Agreement (MOA) between the State of Hawaii and the US Department of Justice concerning conditions of confinement. The purpose of this request is to allow the HYCF administrator to reside on the grounds of the facility in Maluhia Cottage, originally constructed for this reason.

The Youth Facility Administrator is responsible for all facility operations, especially protecting youth from harm, including self-harm (suicide ideation), staff abuse and youth-on-youth assaults. Incidents related to protection from harm have impeded the State in meeting its obligations under the MOA. As such, the Administrator's presence is required on-site at all hours of the day and night to act as the first responder to serious incidents that occur, determine if police involvement is necessary, monitor staff to ensure

proper supervision of youth is being provided at all times (particularly at night), and to act as the youths' legal guardian should emergency care and/or hospital admission be required. The constant presence of the Youth Facility Administrator will contribute to furthering compliance with the requirements of the MOA by monitoring security operations during all shifts.

There are no other pertinent issues or concerns and staff has no objection to the request.

RECOMMENDATION:

That the Board consent to the lease between Department of Human Services and the administrator of the Hawaii Youth Correctional Facility, subject to any applicable conditions cited above which are by this reference incorporated herein and further subject to the following:

1. Review and approval by the Department of the Attorney General; and
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Barry Cheung  
District Land Agent

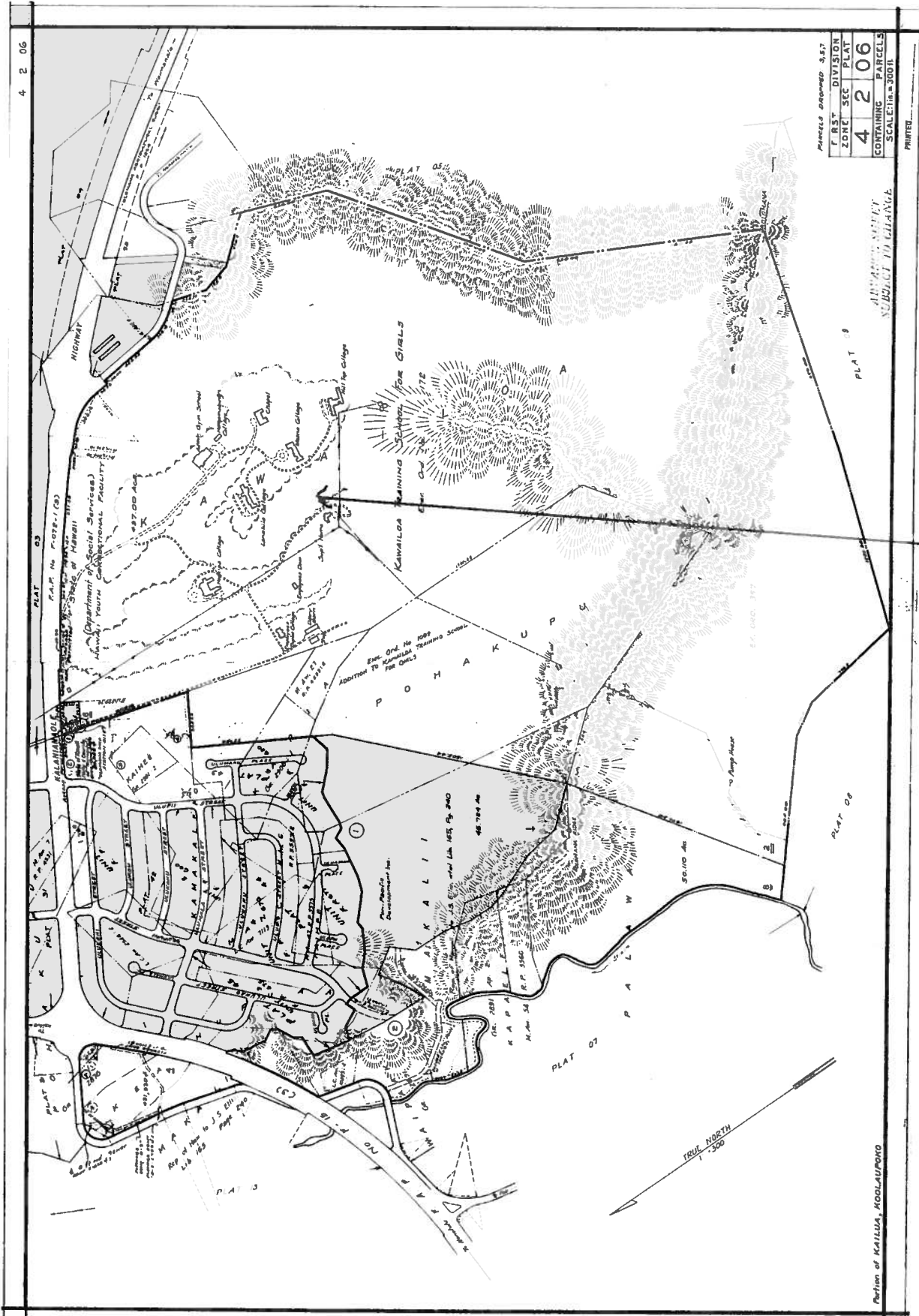
APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



4 2 06



Subject Location

EXHIBIT "A"